REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-18 remain pending. Claims 1, 5, 7, 11, 13, and 17 are independent.

§ 112 FIRST PARAGRAPH REJECTION

Claims 1-4, 7-10 and 13-16 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. More specifically, the Examiner alleges that the feature of carrying out the tone conversion processing and the color correction processing simultaneously is not describe in the specification. Applicant respectfully traverses.

As disclosed on page 18, line 2 – page 20, line 8 of the specification, the LUT generating means 30, which includes the image processing condition determining means, generates the 3DLUT based on the image data S0 and the print image data S5. The print image data S5 is obtained by carrying out both the tone conversion processing and the color correction processing on the image data S0. Therefore, when the image processing by using the 3DLUT is carried out on an image data, both the tone conversion processing and the color correction processing are carried out on the image data simultaneously.

Clearly, contrary to the Examiner's allegation, the recited feature is disclosed in the specification as originally filed.

For at least this reason, Applicant respectively request that the rejection of claims 1-4, 7-10 and 13-16 based on § 112, first paragraph be withdrawn.

§ 103 REJECTION – NISHIGAKI, OKU

Independent claims 5, 11 and 17 as well as dependent claims 6, 12 and 18 stands rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Nishigaki et al. (US Patent 6,590,678) in view of Oku et al. (US Patent 5,489,996). Applicant respectively traverses.

Independent claim 5 recites, in part "comparing a number of lattice points in a three-dimensional look-up table ... with the total number of pixels in an image represented by the image data." As recited, it is clear that the comparison of the lattice points is with the total number of pixels of an image. The Amendment is in lined with a comment made by the Examiner in his response to argument section of the final Office Action. More specifically, on page 3 of the Final Office Action, the Examiner indicates that changing the phrase from "a total" to "the total" clarifies the claim such that the total number of the pixels are compared.

As noted in the Reply submitted on October 17, 2005, the Examiner recognizes that such features is not taught by either Nishigaki or Oku. For at

least this reason, independent claim 5 is distinguishable over the combination of Nishigaki and Oku.

Independent claim 11 recites, in part " three-dimensional look-up table generating means for comparing a number of lattice points in a three-dimensional look-up table ... with the total number of pixels in an image represented by the image data. As noted above, Nishigaki and Oku, individually or in combination, do not teach or suggest this feature. For at least this reason, independent claim 11 is distinguishable over Nishigaki and Oku.

Independent claim 17 recites, in part "comparing a number of lattice points in a three-dimensional look-up table ... with the total number of pixels in an image represented by the image data." The combination of Nishigaki and Oku cannot teach or suggest this feature. For at least this reason, independent claim 17 is distinguishable over the same combination of references. Claim 6, 12 and 18 depend from independent claims 5, 11 and 17 respectively. For at least due to the dependencies thereon, these dependent claims are also distinguishable over the combination of Nishigaki and Oku.

Applicant respectively request that the rejection of claims 5-6, 11-12 and 17-18 based on Nishigaki and Oku be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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